

**AFFIDAVIT**

I, Loran F. Freeman, Independence, Missouri Police Department, Detective and Federal Bureau of Investigation Task Force Officer ("TFO"), Kansas City Field Office, the undersigned affiant, being duly sworn, state the following is true and correct to the best of my knowledge and belief:

1. I have been a commissioned law enforcement officer in Missouri since July 1993 and have been a police officer with the Independence, Missouri, Police Department since May 10, 2001. I have received basic and advanced training regarding the investigation of narcotics/illegal drug distribution, and investigation of violent crimes, including but not limited to weapons related offenses. I have worked for the Drug Enforcement Unit of the Independence, Missouri Police Department, assigned to the Drug Enforcement Administration (DEA) Task Force, Kansas City District Office Group 43, from September 2006, through January 2009, and later was assigned to the Independence, Missouri Police Department Career Criminal Unit, in conjunction with the Kansas City Career Criminal Task Force (KCCCTF). While assigned as a Detective/Task Force Officer, I have participated in numerous illegal drug/narcotics, violent crime, and weapons related investigations. I have been the affiant in over 100 court orders issued by the Circuit Court of Jackson County, Missouri, and over 100 court orders issued by the Western District of Missouri Federal Court.

2. This affidavit contains information necessary to support probable cause for this application. It is not intended to include every fact or matter observed by me or known by law enforcement. The information provided is based upon my personal knowledge and observation during the course of this investigation, information conveyed to me by other law enforcement officials and others, and my review of reports prepared by other law enforcement officials during the course of the investigation.

3. This affidavit is made in support of a criminal complaint and arrest warrant against Ray Clevenger, white male, date of birth – July 2, 1975, for the offense of forcibly resisting or impeding a Deputy United States Marshal, in violation of 18 USC § 111, having occurred on December 30, 2020, at approximately 12:40 pm. This incident occurred at the Quality Inn, located at 1051 N. Cambridge Ave, Kansas City, Jackson County, Missouri, which is within the Western District of Missouri.

4. I seek this Court's warrant to obtain DNA samples, to be taken orally from Ray Clevenger by means of buccal swabs, to develop a DNA standard for comparison to any DNA evidence recovered from the crime scene where the below summarized incident occurred.

5. On or about December 18, 2020, Task Force Officer Chance Cooper of the United States Marshal Service Task Force, Western District of Missouri, initiated a fugitive investigation regarding Ray Clevenger, who was being sought regarding a Jackson County, Missouri Circuit Court felony arrest warrant. This arrest warrant was issued on that date for aggravated assault-attempted to kill or cause serious physical injury, and the court set the bond at \$75,000.00/10%. The original offense report indicates this incident occurred in Grandview, Missouri, and allegedly Clevenger "shot" the victim of the offense.

6. During TFO Cooper's investigation, a source of information, hereafter referred to as "SOI" informed TFO Cooper and said Clevenger was present at the Quality Inn, located at 1051 N. Cambridge Ave, Kansas City, Jackson County, Missouri, and had just entered room #262. This hotel is located within the Western District of Missouri.

7. Task Force Officer Cooper gathered additional Deputy United States Marshals and Task Force Officers to assist in a covert surveillance of the hotel to attempt to apprehend Clevenger. DUSM's and TFO's Members of the Western District of Missouri US Marshal Task Force went to the area and initiated surveillance at approximately 11:40 a.m. Kansas City, Missouri Police Department Street Narcotics Unit Tactical Squads "10" and "20" also assisted in this surveillance/arrest initiative.

8. At approximately 12:40 p.m., investigators observed Clevenger exit the hotel from the east side of the property, while in the company of a female subject, later identified as Kristin A. Brimble. Investigators observed Clevenger and Brimble enter a dark blue, Ford Explorer, displaying Missouri license plate CR6P3T. Investigators observed Clevenger get into the driver's seat and Brimble got in the front passenger's seat.

9. Investigators recognized and positively identified Clevenger as he walked towards the blue Explorer. DUSM's and other assisting law enforcement officers then moved in to arrest Clevenger. As they approached, investigators activated their flashing multi-colored police emergency lights and sirens. Additionally, each investigator wore clothing and bullet proof vest clearly identifying them as "Police" and/or Deputy U.S. Marshal."

10. USMS Task Force and KCPD SNU TAC units then initiated the arrest. As law enforcement approached Clevenger, he quickly accelerated the Explorer from the parking space it had been "backed into" and then struck the front of TFO Cooper's police vehicle. Clevenger continued to attempt to escape while recklessly driving the Explorer at a high rate of speed from the point of the initial collision. Clevenger went across the hotel's parking lot with his tires squealing and drove near the exit area at the west side of the property. While fleeing into this area, Deputy United States Marshal Joshua Kohler attempted to prevent Clevenger's exit from the parking lot onto Cambridge street by positioning his police vehicle in front of the exit. DUSM Kohler's attempted to prevent Clevenger's escape by striking the Ford Explorer, causing Clevenger to lose control of his vehicle. Clevenger regained control of the vehicle, then fled eastbound across the hotel property lawn and sidewalk toward the eastern perimeter of the hotel property. DUSM Nathan Ruebhausen attempted to contain Clevenger by obstructing his escape and struck Clevenger's vehicle on the passenger rear wheel well. Clevenger continued to flee and returned to the western exit area of the hotel property where he rammed DUSM Kohler's police vehicle a second time with enough force to push DUSM Kohler's SUV vehicle into a fence surrounding the parking lot. Additionally, Clevenger pushed DUSM Kohler's vehicle with enough force that it struck DUSM Jordan Rewald's vehicle which, in turn, then struck DUSM Rewald whom previously exited DUSM Kohler's vehicle and was "on foot" near the vehicle pileup. Clevenger's vehicle then stopped and its passenger side "air bag" restraints deployed. Investigators arrested Clevenger and Brimble at that time.



11. As Clevenger and Brimble were being restrained, participating law enforcement officials examined the interior of the Ford Explorer for additional occupants. During this inspection the investigators observed the following items in plain view within the passenger compartment of the vehicle:

1. A black Springfield Armory, Model XD, .40 caliber, semiautomatic handgun, bearing serial number - XD317020, loaded with an "extended" magazine containing 11 unfired rounds, and one round within the chamber of the firearm. Investigators observed the gun sitting on the backseat side cushion directly behind the driver's seat back where Clevenger was seated at the time of his arrest;

2. Pink women's makeup case, with its zipper open. The case contained a clear plastic bag with approximately 69 grams of a semi-transparent crystalline substance which field-tested positive for methamphetamine. Additionally, investigators recovered a clear plastic bag containing approximately 4 grams of what field-tested positive as marijuana, and assorted drug paraphernalia; seen on the front passenger seat cushion where Brimble was seen at the time of her arrest;

3. Assorted items of drug paraphernalia, including but two digital electronic scales, a blue ledger with what appeared to be transaction records likely related to the distribution of illegal drugs; all recovered in various locations from within the interior of the Ford Explorer.

12. KCPD SNU TAC Unit Squads (who participated in this arrest) determined that leaving Ford Explorer created a significant risk to the safety and welfare of other hotel guests and to the general public. FBI Special Agent Jonathan Spaeth contacted hotel management whether they wanted the vehicle left on their property or not. An on-duty manager requested the vehicle to be towed from the parking lot.

13. Additionally, Kansas City, Missouri, Police Department has long standing inventory search towing policy that requires all vehicles that are towed must be "inventory searched" before towing the vehicle. This policy requires the entire contents of the vehicle be examined and its contents documented as part of the towing process. During the inventory search multiple items of property more fully described above were recovered from the vehicle and placed into a property holding facility as evidence and/or valuables for safekeeping.

14. DUSM's Kohler and Rewald both suffered physical injuries as a result of Clevenger's reckless driving while attempting to avoid arrest. Those injuries required DUSM Rewald to be treated by emergency medical officials who were summoned to the scene. DUSM Rewald was provided medical care and was instructed to seek follow up medical care in the future.

15. A law enforcement database inquiry regarding the Ford Explorer revealed the vehicle was previously reported stolen to the Platte County, Missouri Sheriff's Department in

November 2020. A second law enforcement database inquiry of the handgun revealed it was reported stolen to the Fargo, North Dakota, Police Department on an unspecified date.

16. A criminal history check of Clevenger revealed the following four (4) felony convictions:

1. 2010, Possession of controlled substance, Jackson County, Missouri Circuit Court, case number – 0916CR0165701;

2. 2010, Tampering with a motor vehicle, Jackson County, Missouri Circuit Court, case number –1016CR022424;

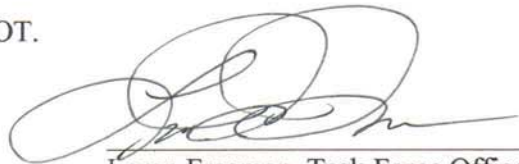
3. 2005, Drug user in possession of a firearm, Western District of Missouri Federal Court;

4. 2015, Felon in possession of a firearm, Western District of Missouri Federal Court.

17. Investigators transported Clevenger and Brimble to a nearby medical facility for examination, and because of that they were not interviewed at that time.


18. Additionally, for the foregoing reasons, I seek this Court's warrant to search the body of Ray Clevenger to obtain DNA samples for laboratory analysis to develop a DNA standard for comparison to other evidence recovered from the crime scene. Finally, I seek this Court's warrant to arrest Clevenger for the offense outlined above.

FURTHER AFFIANT SAYETH NOT.



Loran Freeman, Task Force Officer  
Federal Bureau of Investigation

Subscribed to and sworn to me by telephone this 31st day of December, 2020.

  
HONORABLE W. BRIAN GADDY  
United States Magistrate Judge  
Western District of Missouri

